In re Patent Application of
DELLMO ET AL.
Serial No. 09/761,173
Filed: **JANUARY 16, 2001**
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<u>REMARKS</u>

Applicants would like to thank the Examiner for the
thorough examination of the present application. The Examiner
is requested to confirm consideration of the IDS submitted
January 16, 2001.

The patentability of the claims is discussed in
greater detail below. Favorable reconsideration is
respectfully requested.

I.   The Claimed Invention

Independent Claim 1, for example, is directed to a
secure wireless local area network (LAN) device including a
housing, a wireless transceiver carried by the housing, and a
media access controller (MAC) carried by the housing. The
device also includes a cryptography circuit carried by the
housing and connected to the MAC and the wireless transceiver.
The cryptography circuit operates using cryptography
information and renders unusable the cryptography information
based upon tampering.

Independent Claim 13 is similar to Claim 1 and
recites a connector carried by the housing for connecting to a
LAN station and a LAN access point instead of the MAC.
Independent Claim 24 is also similar to Claim 1 and recites
that the cryptography circuit includes a volatile memory for
storing the cryptography information, and a battery for
maintaining the cryptography information in the volatile
memory.

Independent Claim 30 is similar to Claim 13 and
recites that the cryptography circuit includes a volatile

2

In re Patent Application of
DELLMO ET AL.
Serial No. 09/761,173
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_____/

memory for storing the cryptography information, and a battery
for maintaining the cryptography information in the volatile
memory. Independent Claim 36 is directed to a secure wireless
local area network (LAN) system including a plurality of LAN
devices each including the cryptography circuit. Independent
Claim 46 is directed to a method of storing cryptography
information in the cryptography circuit.

II.   The Claimed Invention is Patentable

The Examiner rejected independent Claims 1, 13, 24,
30, 36, and 46 as unpatentable over the Treadaway et al. '477
patent in view of the Schneck et al. application, and the
Bambridge et al. patent. The Treadaway et al. '477 patent
discloses a secure wireless LAN including a transceiver, a
MAC, and a cryptography circuit. The Examiner correctly
recognized that the Treadaway et al. '477 patent fails to
disclose a cryptography circuit that renders unusable the
cryptography information based upon tampering, but cites the
Schneck et al. application as providing such. The Schneck et
al. application discloses a "coprocessor protected by a tamper
detection mechanism that causes the rules, cryptographic data,
and decrypted protected data to be destroyed" as described at
paragraph [0067].

The Treadaway et al. '477 patent disclose a secure
wireless LAN in which the Ethernet data packets to be
transmitted over the link 102 are encrypted by the
encryption/decryption block 264 as described at column 23,
lines 47-56. For example, data received by antenna 508 (FIG.
15) leaves the outdoor unit (ODU) 104 as unencrypted data

3

In re Patent Application of
DELLMO ET AL.
Serial No. 09/761,173
Filed: JANUARY 16, 2001
_____/

along cable 556, and, alternatively, data sent by antenna 508
enters the outdoor unit (ODU) 104 as unencrypted data along
cable 556.   Consequently, there is no motivation to add the
tamper detection mechanism of the Schneck et al. application
to the ODU 104 in the Treadaway et al. '477 patent because the
unencrypted data in the cable 556 would provide an easy way to
circumvent such a tamper detection mechanism.   Therefore, not
only does the Treadaway et al. '477 patent never consider a
tamper detection mechanism to protect data, but the Treadaway
et al. '477 patent teaches that easily accessible unencrypted
code is transmitted over cable 556 thereby rendering tamper
detection superfluous.

In addition, the Schneck et al. application fails to
disclose that its tamper detection mechanism should be
combined with a MAC and wireless transceiver. Instead, the
Schneck et al. application teaches that a coprocessor is
protected by the tamper detection mechanism as described in
paragraph [0067], but fails to consider connecting the tamper
detection mechanism to a MAC and a wireless transceiver.

Further, the Examiner cites Bambridge et al. patent
as disclosing a MAC board mounted within a housing. (Column 5,
lines 26-45). As the Bambridge et al. patent fails to provide
a cryptography circuit for rendering unusable cryptography
information based upon tampering, the Bambridge et al. patent
adds nothing to the deficiencies of the Treadaway et al. '477
patent and the Schneck et al. application.

Consequently, it is respectfully submitted that the
Examiner is using impermissible hindsight, gleaned from the
Applicants' own specification, as motivation to selectively

4

In re Patent Application of
DELLMO ET AL.
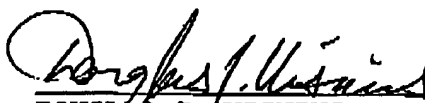Serial No. 09/761,173
Filed: JANUARY 16, 2001
_____/

combine disjoint pieces of the prior art in an attempt to
produce the claimed invention. There is simply no proper
motivation in the prior art to selectively combine bits and
pieces from the three cited prior art references.

Accordingly, independent Claims 1, 13, 24, 30, 36,
and 46 are patentable. Their respective dependent claims,
which recite yet further distinguishing features, are also
patentable over the prior art and require no further
discussion herein.

CONCLUSIONS

In view of the arguments presented above, it is
submitted that all of the claims are patentable. Accordingly,
a Notice of Allowance is respectfully requested in due course.
Should any minor informalities need to be addressed, the
Examiner is encouraged to contact the undersigned at the
telephone number listed below.

Respectfully submitted,

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5

In re Patent Application of
DELLMO ET AL.
Serial No. 09/761,173
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CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY that the foregoing correspondence has been forwarded via facsimile number 571-273-8300 to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 this _____ day of November, 2005.

6